

22 November 2005

Ex Parte – Electronic Filing

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, D.C. 20065

*Re: In the Matter of Communications Assistance for Law Enforcement Act and  
Broadband Access and Services, ET Doc. No. 04-295/RM-10865*

Dear Ms. Dortch:

On Tuesday, 22 November 2005, on behalf of the Information Technology Industry Council (ITI), Marjorie Dickman of Intel, Paul Schomburg of Panasonic, and undersigned counsel met with Julie Knapp of the Office of Engineering & Technology to discuss the upcoming Second Report & Order in the above-noted matter. The FCC staff members noted below also participated in the meeting.

During this meeting, we suggested that the Commission should use the opportunity presented by the Second Report & Order to reaffirm its conclusion that CALEA obligations do not apply to private broadband networks, such as those maintained by corporations and universities. We also urged the Commission to reset the compliance clock for CALEA obligations, so that the mandated eighteen-month deadline would not begin to run until the Second Report & Order is issued. In addition, we pointed out that the eighteen-month deadline – however calculated – was so short that the deadline, not the market, would determine CALEA solutions since robust CALEA solutions currently being developed would be excluded from the market. Thus, we suggested that a process be established that would waive the eighteen-month deadline for service providers who needed additional time to implement newer and more robust CALEA solutions. Finally, we indicated our support for the Commission's view that, in enacting CALEA, Congress did not intend to require manufacturers or service providers to seek advance CALEA approval before deploying new technologies and services.

**HARRIS, WILTSHIRE & GRANNIS**

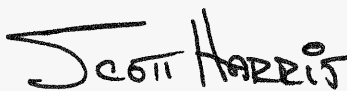
Ms. Marlene Dortch

22 November 2005

Page 2

Please direct any questions regarding this notification to me.

Respectfully submitted,

A handwritten signature in black ink that reads "Scott Harris". The signature is written in a cursive style with a large, stylized "S" at the beginning.

Scott Blake Harris

cc: Julius Knapp  
Walter Johnson  
Tom Beers  
Joe Levin  
Aaron Goldschmidt  
John Spencer  
Nese Guendelsberger  
Rodney Small  
Neil McNeil  
Geri Matisse  
Michael Goldstein  
Jennifer McKee  
Chris Killion  
John Kiefer  
Stacy Jordan  
Cathy Zima  
Jerome Stanshine